

REFERENCE TITLE: driver license agreement

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2367

Introduced by
Representative Biggs

AN ACT

REPEALING TITLE 28, CHAPTER 6, ARTICLE 3, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING A NEW ARTICLE 3; RELATING TO DRIVER LICENSE AGREEMENTS; PROVIDING FOR CONDITIONAL ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Title 28, chapter 6, article 3, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 28, chapter 6, Arizona Revised Statutes, is amended by
5 adding a new article 3, to read:

6 ARTICLE 3. DRIVER LICENSE AGREEMENT

7 28-1851. Entering into driver license agreement

8 A. THIS SECTION MAY BE CITED AS THE DRIVER LICENSE AGREEMENT ACT.

9 B. THE DRIVER LICENSE AGREEMENT IS HEREBY ENACTED INTO LAW AND ENTERED
10 INTO BY THIS STATE AND WITH ALL OTHER JURISDICTIONS LEGALLY JOINING THE
11 AGREEMENT.

12 C. THE DEPARTMENT IS AUTHORIZED TO IMPLEMENT THIS SECTION AND
13 DELEGATED THE POWERS AND DUTIES SET FORTH IN THIS SECTION. TO THIS END THE
14 DEPARTMENT SHALL ALSO HAVE THE AUTHORITY AND POWER TO ADOPT RULES AND
15 PROCEDURES AND ENTER INTO SUPPLEMENTAL AGREEMENTS NECESSARY TO IMPLEMENT THIS
16 SECTION AND TO ALLOW THIS JURISDICTION TO FULLY PARTICIPATE IN THE DRIVER
17 LICENSE AGREEMENT.

18 ARTICLE I

19 GENERAL PURPOSE

20 IT IS VITAL TO THE NATIONAL INTEREST THAT ALL JURISDICTIONS PARTICIPATE
21 IN A RECIPROCAL PROGRAM OF COOPERATION TO PROMOTE HIGHWAY SAFETY AND TO
22 PROVIDE FOR THE FAIR AND IMPARTIAL TREATMENT OF DRIVERS OPERATING WITHIN
23 THEIR RESPECTIVE BORDERS AND TO IMPLEMENT MINIMUM IDENTIFICATION AND SECURITY
24 STANDARDS FOR DRIVER LICENSES AND IDENTIFICATION CARDS. THE GENERAL PURPOSE
25 OF THIS SECTION IS AS FOLLOWS:

26 1. A DRIVER SHALL HAVE ONE DRIVER LICENSE ISSUED BY A JURISDICTION
27 THAT IS RECOGNIZED BY ALL MEMBER JURISDICTIONS AND ONE DRIVER CONTROL RECORD.

28 2. ALL EFFORTS SHALL BE MADE TO STRENGTHEN COOPERATION AMONG MEMBER
29 JURISDICTIONS SO THAT ALL DRIVERS ARE REQUIRED TO COMPLY WITH TRAFFIC
30 CITATIONS REGARDLESS OF THE JURISDICTION WHERE ISSUED.

31 3. RECIPROCAL RECOGNITION OF DRIVER LICENSES AND TRAFFIC VIOLATIONS
32 RELATED TO HIGHWAY SAFETY SHALL BE FACILITATED FOR THE BENEFIT OF ALL MEMBER
33 JURISDICTIONS.

34 4. DRIVER LICENSES AND IDENTIFICATION CARDS SHALL NOT BE ISSUED UNLESS
35 A RECOGNIZED VERIFICATION PROCESS TO IDENTIFY THE PERSON HAS BEEN FOLLOWED.

36 5. COMPLIANCE WITH THE LAWS, ORDINANCES, REGULATIONS AND
37 ADMINISTRATIVE RULES RELATING TO HIGHWAY SAFETY SHALL BE REQUIRED AS A
38 CONDITION TO THE ISSUANCE OR RETENTION OF A DRIVER LICENSE.

39 6. OFFENSES FOR WHICH ANY PERSON HAS BEEN CONVICTED IN ANY MEMBER
40 JURISDICTION SHALL BE TREATED AS IF THE VIOLATION HAD BEEN COMMITTED IN THE
41 JURISDICTION OF RECORD FOR THE PURPOSES OF UPDATING AND MAINTAINING THE
42 DRIVER CONTROL RECORD AND IMPOSING SANCTIONS.

43 7. ALL PERSONS SHALL BE ALLOWED TO PROCEED ON THEIR WAY WITHOUT DELAY
44 REGARDLESS OF THEIR JURISDICTION OF RECORD AFTER BEING ISSUED A CITATION FOR
45 CERTAIN TRAFFIC VIOLATIONS RELATED TO HIGHWAY SAFETY.

1 8. GREATER UNIFORMITY IS REQUIRED AMONG ALL MEMBER JURISDICTIONS
2 CONCERNING IDENTIFICATION AND VERIFICATION REQUIREMENTS FOR THE ISSUANCE OF A
3 DRIVER LICENSE AND IDENTIFICATION CARD AS WELL AS THE EXCHANGE OF INFORMATION
4 ON DRIVER LICENSES, RECORDS, CONVICTIONS, WITHDRAWALS AND OTHER DATA RELATED
5 TO THE DRIVER LICENSING PROCESS.

6 9. MEMBER JURISDICTIONS AGREE TO ACT IN THE BEST INTEREST OF THE
7 SAFETY OF THE CITIZENS OF THEIR RESPECTIVE JURISDICTIONS AND TO WORK, IN A
8 SPIRIT OF MUTUAL COOPERATION, IN THE MONITORING OF COMPLIANCE WITH THE
9 AGREEMENT AND IN THE RESOLUTION OF DISPUTES AT THE LOWEST POSSIBLE LEVEL OF
10 DECISION THROUGH NEGOTIATIONS AND COOPERATIVE EFFORTS.

11 ARTICLE II
12 DEFINITIONS

13 AS USED IN THIS SECTION:

14 1. "ADMINISTRATIVE ACTION" MEANS A FINAL ADMINISTRATIVE DETERMINATION
15 THAT A PERSON HAS VIOLATED LAWS RELATING TO THE OPERATION OF A MOTOR VEHICLE
16 OR THAT A PERSON IS NOT CAPABLE OF SAFELY OPERATING A MOTOR VEHICLE.

17 2. "CITATION" MEANS ANY SUMMONS, TICKET OR OTHER OFFICIAL DOCUMENT
18 THAT REQUIRES THE PERSON TO RESPOND AND THAT IS ISSUED BY A LAW ENFORCEMENT
19 OFFICER OR JUDICIAL OFFICIAL FOR THOSE OFFENSES RELATING TO CONDUCT TO BE
20 REPORTED UNDER THE DRIVER LICENSE AGREEMENT.

21 3. "CONVICTION" MEANS AN ADJUDICATION OF GUILT OR RESPONSIBILITY BY A
22 COURT, OR A DETERMINATION BY A COURT OF GUILT OR THAT A PERSON HAS VIOLATED
23 THE LAW, AN UNVACATED FORFEITURE OF BAIL OR COLLATERAL DEPOSITED TO SECURE
24 THE PERSON'S APPEARANCE IN A COURT, A PLEA OF GUILTY OR NO CONTEST ACCEPTED
25 BY A COURT, THE PAYMENT OF A FINE OR COURT COSTS, OR A VIOLATION OF A
26 CONDITION OF RELEASE WITHOUT BAIL REGARDLESS OF WHETHER THE PENALTY IS
27 REBATED, SUSPENDED OR PROBATED. CONVICTION INCLUDES JUDGMENTS BY DEFAULT OR
28 IN ABSENTIA.

29 4. "DRIVER CONTROL RECORD" MEANS THE RECORD THAT IS MAINTAINED BY THE
30 JURISDICTION OF RECORD IN ACCORDANCE WITH THE DRIVER LICENSE AGREEMENT.

31 5. "DRIVER LICENSE" MEANS AN AUTHORIZATION OR PRIVILEGE TO OPERATE A
32 MOTOR VEHICLE PURSUANT TO THE LAWS OF A JURISDICTION THAT IS RECOGNIZED BY
33 ALL MEMBER JURISDICTIONS.

34 6. "FAILURE TO COMPLY" MEANS FAILURE TO ANSWER A CITATION OR FAILURE
35 TO PAY FINES, PENALTIES AND COSTS RELATED TO THE VIOLATION.

36 7. "IDENTIFICATION CARD" MEANS A CARD THAT IS ISSUED BY A LICENSING
37 AUTHORITY OF A MEMBER JURISDICTION FOR IDENTIFICATION PURPOSES ONLY.

38 8. "ISSUANCE" MEANS THE GRANTING OF A DRIVER LICENSE OR IDENTIFICATION
39 CARD BY A JURISDICTION TO A PERSON INCLUDING ORIGINALS, RENEWALS,
40 REPLACEMENTS AND REISSUANCE.

41 9. "JURISDICTION" MEANS A STATE, TERRITORY OR POSSESSION OF THE UNITED
42 STATES, THE DISTRICT OF COLUMBIA, A TERRITORY OR PROVINCE OF CANADA OR ANY
43 STATE OF THE REPUBLIC OF MEXICO OR THE FEDERAL DISTRICT OF MEXICO.

44 10. "JURISDICTION OF RECORD" MEANS THE JURISDICTION THAT HAS ISSUED THE
45 LAST DRIVER LICENSE TO A PERSON OR, IF A PERSON HAS NOT BEEN ISSUED A DRIVER

1 LICENSE, THE JURISDICTION OF THE PERSON'S ADDRESS INDICATED ON THE CITATION
2 OR REPORT.

3 11. "LICENSING AUTHORITY" MEANS THE ENTITY RESPONSIBLE FOR
4 ADMINISTERING THE DRIVER LICENSING LAWS OF THE MEMBER JURISDICTION.

5 12. "MEMBER JURISDICTION" MEANS A JURISDICTION THAT HAS ENTERED INTO
6 THE DRIVER LICENSE AGREEMENT.

7 13. "WITHDRAWAL" MEANS THE SUSPENSION, REVOCATION, CANCELLATION,
8 DISQUALIFICATION OR DENIAL OF A DRIVER LICENSE OR OF THE PRIVILEGE TO OPERATE
9 A MOTOR VEHICLE OR TO OBTAIN A DRIVER LICENSE.

10 ARTICLE III

11 DRIVER CONTROL

12 A. NO MEMBER JURISDICTION SHALL ISSUE A DRIVER LICENSE TO A PERSON
13 UNLESS IT HAS BOTH:

14 1. UTILIZED A RECOGNIZED VERIFICATION PROCESS TO IDENTIFY THE
15 APPLICANT AS SPECIFIED IN THE RULES, EXCEPT THAT THIS PARAGRAPH DOES NOT
16 APPLY TO A PERSON WHO HOLDS A DRIVER LICENSE ISSUED BY A JURISDICTION THAT
17 APPLIED THE RECOGNIZED VERIFICATION PROCESS TO IDENTIFY THE PERSON AS
18 SPECIFIED IN THE RULES OF THE DRIVER LICENSE AGREEMENT.

19 2. DETERMINED THE PERSON'S DRIVER LICENSE IS NOT WITHDRAWN BY ANY
20 OTHER MEMBER JURISDICTION, AS EVIDENCED BY THE DRIVER CONTROL RECORD, FOR
21 CONVICTIONS OR ADMINISTRATIVE ACTIONS REQUIRED TO BE REPORTED UNDER THE
22 DRIVER LICENSE AGREEMENT AS WELL AS FOR FAILURES TO COMPLY. HOWEVER, IF THE
23 PERSON'S DRIVER LICENSE IS WITHDRAWN SOLELY FOR MEDICAL REASONS, A DRIVER
24 LICENSE MAY BE ISSUED IF ALLOWED BY THE LAWS OF THIS STATE.

25 3. EXCEPT AS PROVIDED IN ARTICLE VII, SUBSECTION E OF THIS SECTION A
26 LICENSING AUTHORITY MAY ISSUE A DRIVER LICENSE AFTER THE EXPIRATION OF FIVE
27 YEARS FROM THE EFFECTIVE DATE OF THE MOST RECENT WITHDRAWAL.

28 4. IN THE CASE OF A WITHDRAWAL FOR FAILURE TO COMPLY, A LICENSING
29 AUTHORITY MAY ISSUE A DRIVER LICENSE TO THE APPLICANT IF IT IS SATISFIED THAT
30 THE APPLICANT HAS MADE ALL REASONABLE EFFORTS TO COMPLY BUT HAS BEEN UNABLE
31 TO DO SO.

32 5. A WITHDRAWAL OF A COMMERCIAL DRIVER LICENSE SHALL NOT PRECLUDE THE
33 ISSUANCE OF A DRIVER LICENSE UNLESS SUCH WITHDRAWAL IS BASED ON CONDUCT THAT
34 WOULD HAVE RESULTED IN THE WITHDRAWAL OF A DRIVER LICENSE.

35 B. IF AN APPLICANT IS THE HOLDER OF A DRIVER LICENSE ISSUED BY ANOTHER
36 JURISDICTION, NO MEMBER JURISDICTION SHALL ISSUE A DRIVER LICENSE TO THE
37 APPLICANT UNLESS THE APPLICANT SURRENDERS THE DRIVER LICENSE.

38 C. THE JURISDICTION OF RECORD SHALL MAINTAIN THE DRIVER CONTROL RECORD
39 FOR ANY PERSON WHO IS ISSUED A DRIVER LICENSE BY THAT JURISDICTION.

40 D. NO MEMBER JURISDICTION SHALL CREATE A DRIVER CONTROL RECORD FOR A
41 PERSON FOR WHOM A DRIVER CONTROL RECORD ALREADY EXISTS.

42 E. IF A PERSON HAS NOT BEEN ISSUED A DRIVER LICENSE, THE JURISDICTION
43 OF THE PERSON'S ADDRESS INDICATED ON THE CITATION OR REPORT SHALL CREATE AND
44 MAINTAIN A RECORD, UNTIL SUCH TIME AS A JURISDICTION SHALL ISSUE A DRIVER
45 LICENSE TO SUCH PERSON. AT THE TIME OF LICENSURE BY A JURISDICTION, ALL

1 OTHER JURISDICTIONS MAINTAINING RECORDS SHALL TRANSFER THE INFORMATION
2 SPECIFIED IN SUBSECTION G OF THIS ARTICLE TO THE LICENSING AUTHORITY IN
3 ACCORDANCE WITH THE DRIVER LICENSE AGREEMENT.

4 F. THE DRIVER CONTROL RECORD SHALL BE TRANSFERRED TO THE LICENSING
5 AUTHORITY OF A MEMBER JURISDICTION WITHIN THIRTY DAYS OF RECEIPT OF
6 NOTIFICATION OF ISSUANCE OF A DRIVER LICENSE.

7 G. THE DRIVER CONTROL RECORD SHALL INCLUDE AT A MINIMUM:

8 1. FULL LEGAL NAME AND NAME HISTORY.

9 2. BIRTH DATE.

10 3. GENDER.

11 4. DRIVER LICENSE NUMBER.

12 5. SOCIAL SECURITY NUMBER OR COMPARABLE IDENTIFYING NUMBER, IF
13 AVAILABLE.

14 6. ANY OTHER UNIQUE IDENTIFIER.

15 7. ADDRESS.

16 8. THE DATE THE LAST DRIVER LICENSE WAS ISSUED AND THE EXPIRATION
17 DATE.

18 9. WITHDRAWAL INFORMATION.

19 10. ACCIDENT INFORMATION, IF AVAILABLE.

20 11. CONVICTIONS AND ADMINISTRATIVE ACTIONS, WITH DATE OF VIOLATION AND
21 CONVICTION OR DATE OF ACTION.

22 12. DRIVER LICENSE RESTRICTIONS, CLASSES AND ENDORSEMENTS.

23 13. MEDICAL RESTRICTIONS AND CONDITIONS, IF AVAILABLE.

24 H. THE JURISDICTION OF RECORD SHALL TAKE ANY ACTION PERMITTED BY THE
25 JURISDICTION'S LAWS AND REGULATIONS AGAINST ANY PERSON FOR WHOM IT MAINTAINS
26 THE DRIVER CONTROL RECORD ON NOTIFICATION OF A CONVICTION OR ADMINISTRATIVE
27 ACTION REQUIRED TO BE REPORTED UNDER THE DRIVER LICENSE AGREEMENT, WHICH
28 OCCURRED IN ANOTHER MEMBER JURISDICTION.

29 I. WHEN A DRIVER LICENSE HAS BEEN WITHDRAWN FOR THE PERIOD OF TIME
30 SPECIFIED BY THE JURISDICTION OF RECORD AND THE PERSON APPLIES FOR A DRIVER
31 LICENSE FROM ANOTHER MEMBER JURISDICTION, THE NEW JURISDICTION MAY ISSUE A
32 DRIVER LICENSE TO THAT PERSON NOTWITHSTANDING THE PERSON'S FAILURE TO FULFILL
33 THE REINSTATEMENT REQUIREMENTS OF PROOF OF FINANCIAL RESPONSIBILITY AND
34 ALCOHOL OR DRUG EDUCATION OR TREATMENT PROGRAMS OF THE PREVIOUS JURISDICTION
35 OF RECORD. IF THAT PERSON RETURNS TO THE PREVIOUS JURISDICTION OF RECORD AND
36 APPLIES FOR A DRIVER LICENSE, THE JURISDICTION MAY IMPOSE ANY REINSTATEMENT
37 REQUIREMENT PERMITTED BY THE LAWS OF THE JURISDICTION.

38 J. EXCEPT AS PROVIDED IN ARTICLE VII, SUBSECTION D OF THIS SECTION,
39 NOTHING IN THE DRIVER LICENSE AGREEMENT SHALL PROHIBIT A JURISDICTION FROM
40 MAINTAINING ITS OWN DRIVER RECORDS ON ANY PERSON AND TAKING WITHDRAWAL
41 ACTIONS PERMITTED BY THE JURISDICTION'S LAW ON ANY CONDUCT OCCURRING WITHIN
42 THAT JURISDICTION.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

ARTICLE IV
IDENTIFICATION CARDS

THE DEPARTMENT SHALL ONLY ISSUE IDENTIFICATION CARDS IF BOTH OF THE FOLLOWING APPLY:

- 1. THE CARD MEETS THE SECURITY STANDARDS FOR DRIVER LICENSES UNDER ARTICLE V OF THIS SECTION.
- 2. THE IDENTITY OF THE APPLICANT FOR THE IDENTIFICATION CARD IS VERIFIED IN THE SAME MANNER AS REQUIRED FOR A DRIVER LICENSE.

ARTICLE V
DOCUMENT SECURITY AND INTEGRITY

THE DEPARTMENT, AS SPECIFIED IN THE RULES ADOPTED UNDER THE DRIVER LICENSE AGREEMENT, SHALL:

- 1. TRAIN ITS EMPLOYEES AND AGENTS TO RECOGNIZE AND DETECT FRAUDULENT IDENTIFICATION DOCUMENTS.
- 2. MAINTAIN INTERNAL CONTROLS TO IDENTIFY AND MINIMIZE FRAUD.
- 3. ASSIGN A UNIQUE IDENTIFIER TO EACH PERSON ISSUED A DRIVER LICENSE OR IDENTIFICATION CARD.
- 4. INCORPORATE SECURITY AND DESIGN ELEMENTS INTO EACH DRIVER LICENSE OR IDENTIFICATION CARD ISSUED.

ARTICLE VI
CONDUCT TO BE REPORTED

A. THE DEPARTMENT SHALL IDENTIFY ALL CONVICTIONS AND ADMINISTRATIVE ACTIONS RELATING TO THE UNSAFE OPERATION OF A MOTOR VEHICLE THAT REFLECT CONDUCT REQUIRED TO BE REPORTED UNDER THE DRIVER LICENSE AGREEMENT, INCLUDING:

- 1. OPERATION OF A MOTOR VEHICLE AT OR ABOVE A SPECIFIED BLOOD ALCOHOL CONCENTRATION OR WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR A COMBINATION OF ALCOHOL OR DRUGS OR ANY REFUSAL TO SUBMIT TO A REQUIRED CHEMICAL TEST FOR ALCOHOL OR DRUGS OR A COMBINATION OF ALCOHOL OR DRUGS.
- 2. MANSLAUGHTER INVOLVING A MOTOR VEHICLE, VEHICULAR HOMICIDE, VEHICULAR ASSAULT OR ANY OTHER SIMILAR CONVICTION OR ADMINISTRATIVE ACTION.
- 3. A FELONY IN THE COMMISSION OF WHICH A MOTOR VEHICLE WAS USED.
- 4. LEAVING THE SCENE OF AN ACCIDENT OR FAILING TO STOP AND RENDER AID IN THE EVENT OF A MOTOR VEHICLE ACCIDENT OR COLLISION RESULTING IN THE DEATH OR PERSONAL INJURY OF ANOTHER OR A SIMILAR CONVICTION OR ADMINISTRATIVE ACTION.
- 5. DRIVING WHILE UNLICENSED OR WHILE THE DRIVER LICENSE IS SUSPENDED, REVOKED OR CANCELED.
- 6. DRIVING OVER A PRESCRIBED OR POSTED SPEED LIMIT.
- 7. FAILURE TO OBEY A RED LIGHT, STOP SIGN OR FLASHING YELLOW LIGHT.
- 8. IMPROPER PASSING WHILE OPERATING A MOTOR VEHICLE OR FOLLOWING TOO CLOSELY TO ANOTHER VEHICLE.
- 9. IMPROPER OR UNSAFE TURNING MOVEMENTS OF A VEHICLE.
- 10. FAILURE TO YIELD WHEN REQUIRED.
- 11. UNSAFE OR HAZARDOUS STOPPING OF A MOTOR VEHICLE.

- 1 12. FAILURE TO STOP FOR A SCHOOL BUS WITH ITS FLASHING LIGHTS IN
2 OPERATION.
- 3 13. THOSE REQUIRED TO BE REPORTED BY FEDERAL LAW.
- 4 14. RECKLESS, CARELESS OR NEGLIGENT OPERATION OF A MOTOR VEHICLE.
- 5 15. THE FUNCTIONAL ABILITY TO SAFELY OPERATE A MOTOR VEHICLE.
- 6 16. DRIVING WITHOUT INSURANCE, FAILURE TO PROVIDE ADEQUATE SECURITY
7 FOLLOWING AN ACCIDENT OR FAILURE TO SATISFY A JUDGMENT FOLLOWING AN ACCIDENT.
- 8 17. USE OF SEAT BELTS AND CHILD SAFETY RESTRAINTS.
- 9 18. DISPLAYING, PERMITTING TO BE DISPLAYED OR HAVING IN UNLAWFUL
10 POSSESSION ANY SURRENDERED, CANCELED, REVOKED, SUSPENDED, FICTITIOUS,
11 FRAUDULENTLY ALTERED OR FRAUDULENTLY OBTAINED DRIVER LICENSE OR
12 IDENTIFICATION CARD.
- 13 19. PROVIDING A FALSE OR FICTITIOUS NAME OR DATE OF BIRTH TO ANY POLICE
14 OFFICER OR IN ANY APPLICATION FOR A DRIVER LICENSE OR IDENTIFICATION CARD,
15 KNOWINGLY MAKING A FALSE STATEMENT, KNOWINGLY CONCEALING A MATERIAL FACT, OR
16 OTHERWISE MAKING A MISREPRESENTATION IN ANY SUCH APPLICATION.
- 17 B. EVERY COURT, TRIBUNAL OR AGENCY HAVING JURISDICTION OVER AN OFFENSE
18 SHALL SUBMIT TO THE DEPARTMENT A NOTICE OF A PERSON'S CONVICTION OF ANY
19 OFFENSE IDENTIFIED IN SUBSECTION A OF THIS ARTICLE IN A MANNER SPECIFIED BY
20 THE DEPARTMENT.
- 21 C. THE LICENSING AUTHORITY SHALL REPORT TO THE LICENSING AUTHORITY OF
22 THE JURISDICTION OF RECORD WITHIN THIRTY DAYS OF RECEIPT OF EACH CONVICTION
23 AND ADMINISTRATIVE ACTION AS IDENTIFIED IN SUBSECTION A OF THIS ARTICLE, AS
24 WELL AS FAILURES TO COMPLY. SUCH REPORT SHALL IDENTIFY THE PERSON INVOLVED
25 AND INCLUDE ANY OTHER INFORMATION AS MAY BE SPECIFIED IN THE RULES ADOPTED
26 UNDER THE DRIVER LICENSE AGREEMENT.
- 27 D. ALL INFORMATION REQUIRED TO BE REPORTED UNDER THIS SECTION SHALL BE
28 COMPLETE AND ACCURATE AND TRANSMITTED BY ELECTRONIC OR OTHER MEANS IN A
29 MANNER THAT IS SECURE AND INTELLIGIBLE, AS MAY BE SPECIFIED IN THE RULES
30 ADOPTED UNDER THE DRIVER LICENSE AGREEMENT.
- 31 E. A JURISDICTION RECEIVING INFORMATION TRANSMITTED IN AN ELECTRONIC
32 FORMAT MAY PROVIDE FOR THE ELABORATION OR TRANSLATION OF CODED INFORMATION OR
33 ITS COMPRESSION OR ENCRYPTION AS NECESSARY FOR ANY AUTHORIZED OR LAWFUL USE.
- 34 F. THE LICENSING AUTHORITY OF THE JURISDICTION OF RECORD SHALL GIVE THE
35 SAME EFFECT TO THE CONDUCT REPORTED TO IT UNDER THIS SECTION, AS IT WOULD IF
36 SUCH CONDUCT HAD OCCURRED IN THE JURISDICTION OF RECORD.
- 37 G. IF THE LAWS OF THE JURISDICTION OF RECORD DO NOT PROVIDE FOR
38 OFFENSES OR VIOLATIONS DENOMINATED OR DESCRIBED IN PRECISELY THE WORDS
39 EMPLOYED IN THE STATUTE OF THE REPORTING STATE, THE JURISDICTION OF RECORD
40 SHALL CONSTRUE SUCH DENOMINATIONS OR DESCRIPTIONS AS BEING APPLICABLE TO AND
41 IDENTIFYING THOSE OFFENSES OR VIOLATIONS CONCERNING CONDUCT OF A
42 SUBSTANTIALLY SIMILAR NATURE SET FORTH IN THE LAWS OF THE JURISDICTION OF
43 RECORD. THE LAWS SHALL BE BROADLY INTERPRETED SO THAT FULL FORCE AND EFFECT
44 IS GIVEN TO THIS SECTION.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

ARTICLE VII
FAILURE TO COMPLY

A. THIS ARTICLE APPLIES ONLY TO CITATIONS RELATING TO OFFENSES THAT ARE REQUIRED TO BE REPORTED BY THE DRIVER LICENSE AGREEMENT.

B. A LAW ENFORCEMENT OFFICER OR JUDICIAL OFFICIAL ISSUING A CITATION TO A PERSON LICENSED BY ANOTHER MEMBER JURISDICTION SHALL NOT REQUIRE THE PERSON TO POST COLLATERAL OR BOND TO SECURE THE PERSON'S APPEARANCE. HOWEVER, COLLATERAL OR BOND MAY BE REQUIRED EITHER:

1. IF THE JURISDICTION IN WHICH THE PERSON IS CITED IMPOSES A MANDATORY COURT APPEARANCE FOR ALL PERSONS CHARGED WITH THE OFFENSE FOR WHICH THE PERSON IS CITED.

2. IF THE OFFENSE FOR WHICH THE PERSON IS CITED IS ONE FOR WHICH WITHDRAWAL OF THE PERSON'S DRIVER LICENSE IS MANDATORY.

C. IF A PERSON WHO HAS BEEN ISSUED A CITATION BY A MEMBER JURISDICTION FAILS TO COMPLY WITH THE TERMS OF THE CITATION, THE COURT, TRIBUNAL OR AGENCY HAVING JURISDICTION OVER THE CITATION SHALL SUBMIT TO THE DEPARTMENT A NOTICE THAT THE PERSON HAS FAILED TO COMPLY.

D. ON RECEIPT OF A NOTICE OF FAILURE TO COMPLY, THE JURISDICTION THAT ISSUED THE CITATION SHALL NOT WITHDRAW THE DRIVER LICENSE AND SHALL NOTIFY THE JURISDICTION OF RECORD, IN ACCORDANCE WITH THE RULES ADOPTED UNDER THE DRIVER LICENSE AGREEMENT.

E. ON NOTIFICATION, THE JURISDICTION OF RECORD SHALL NOTIFY THE PERSON AND SHALL WITHDRAW THE DRIVER LICENSE. EXCEPT AS PROVIDED IN ARTICLE III, SUBSECTION A, PARAGRAPH 4 OF THIS SECTION, A WITHDRAWAL OF A DRIVER LICENSE UNDER THIS SECTION SHALL CONTINUE UNTIL THE JURISDICTION OF RECORD RECEIVES SATISFACTORY EVIDENCE OF COMPLIANCE FROM THE PERSON OR THE JURISDICTION THAT ISSUED THE CITATION.

F. NO NOTIFICATION OF FAILURE TO COMPLY SHALL BE TRANSMITTED MORE THAN SIX MONTHS AFTER THE DATE THE COURT, TRIBUNAL OR AGENCY DETERMINES THE PERSON HAS FAILED TO COMPLY.

ARTICLE VIII
EVIDENCE

A. A COPY OF A RECORD OF ANY CONVICTION, ADMINISTRATIVE ACTION, DRIVER LICENSE AND IDENTIFICATION CARD ISSUANCE, WITHDRAWAL OR STATUS THAT IS TRANSMITTED AND RECEIVED BY ELECTRONIC MEANS OR OTHER MEANS, WHEN CERTIFIED, SHALL BE ADMISSIBLE IN EVIDENCE IN ALL COURTS AND ADMINISTRATIVE PROCEEDINGS WITHOUT FURTHER PROOF. SUCH EVIDENCE SHALL CONSTITUTE PROOF OF THE FACTS CONTAINED THEREIN, IN THE ABSENCE OF EVIDENCE TO THE CONTRARY. CONTRARY EVIDENCE SHALL BE LIMITED TO CLERICAL AND IDENTIFICATION ERRORS.

B. ANY DUPLICATE, PHOTOCOPY, MICROFILM OR ELECTRONICALLY DIGITIZED COPY OR REPRODUCTION OF A RECORD, WHEN SATISFACTORILY IDENTIFIED, SHALL BE DEEMED AN ORIGINAL AND SHALL BE ADMISSIBLE IN EVIDENCE IN ALL COURTS OR ADMINISTRATIVE PROCEEDINGS WITHOUT FURTHER PROOF.

1 C. A RECORD MAY BE CERTIFIED BY ELECTRONIC MEANS IN AN ELECTRONIC
2 FORMAT. SUCH RECORD MAY BE FILED IN A COURT OR ADMINISTRATIVE PROCEEDING BY
3 DIRECT ELECTRONIC TRANSMISSION AND SHALL BE ADMISSIBLE IN EVIDENCE WITHOUT
4 FURTHER PROOF. ANY RECORD SO TRANSMITTED AND CERTIFIED SHALL BE PROOF OF THE
5 FACTS CONTAINED THEREIN, IN THE ABSENCE OF EVIDENCE TO THE CONTRARY.

6 D. FOR THE PURPOSES OF THIS ARTICLE, "RECORD" INCLUDES ANY PAPERS,
7 DOCUMENTS, FACSIMILE INFORMATION, MICRO-PHOTOGRAPHICALLY STORED INFORMATION,
8 ELECTRONICALLY GENERATED OR ELECTRONICALLY RECORDED INFORMATION OR DIGITIZED
9 IMAGES THAT ARE DEPOSITED OR FILED WITH THE JURISDICTION.

10 ARTICLE IX

11 GENERAL PROVISIONS

12 A. THE PROVISIONS OF THIS SECTION ARE SEVERABLE AND IF ANY PHRASE,
13 CLAUSE, SENTENCE OR PROVISION OF THIS SECTION IS DECLARED TO BE CONTRARY TO
14 THE CONSTITUTION OR LAWS OF ANY MEMBER JURISDICTION, OR IS OTHERWISE
15 INAPPLICABLE TO ANY GOVERNMENT AGENCY, PERSON OR CIRCUMSTANCES, THIS SECTION
16 SHALL REMAIN IN FULL FORCE AND EFFECT AS TO THE REMAINING JURISDICTIONS. AS
17 TO THE JURISDICTION AFFECTED BY SUCH DETERMINATION, ALL OTHER PROVISIONS OF
18 THIS SECTION REMAIN IN FULL FORCE AND EFFECT.

19 B. NEITHER THIS SECTION NOR THE DRIVER LICENSE AGREEMENT CREATES
20 RIGHTS FOR A DRIVER OR OTHER PERSON OR A STANDARD OF CARE IN ANY LEGAL OR
21 EVIDENTIARY SENSE. ANY VIOLATION OF THIS SECTION OR THE DRIVER LICENSE
22 AGREEMENT SHALL NOT BE A DEFENSE IN ANY CRIMINAL, CIVIL OR ADMINISTRATIVE
23 PROCEEDING. REMEDIES FOR VIOLATIONS OF THIS SECTION OR THE DRIVER LICENSE
24 AGREEMENT SHALL BE LIMITED TO THOSE AUTHORIZED BY THIS SECTION OR THE DRIVER
25 LICENSE AGREEMENT.

26 C. TO THE EXTENT THAT THIS SECTION CONFLICTS WITH GENERAL DRIVER
27 LICENSING PROVISIONS, THIS SECTION PREVAILS. WHERE THIS SECTION IS SILENT,
28 THE GENERAL DRIVER LICENSING PROVISIONS APPLY.

29 ARTICLE X

30 TRANSITIONAL PROVISIONS

31 A. ANY ACTION TAKEN UNDER THE DRIVER LICENSE COMPACT OR NONRESIDENT
32 VIOLATOR COMPACT OR UNDER ANY OTHER AGREEMENT SHALL NOT BE AFFECTED OR
33 TERMINATED BY THIS SECTION OR THE DRIVER LICENSE AGREEMENT, EXCEPT THAT ANY
34 ACTION OR PROVISION THAT CONFLICTS WITH THIS SECTION OR THE DRIVER LICENSE
35 AGREEMENT SHALL BE SUPERSEDED BY ENTRY INTO THE DRIVER LICENSE AGREEMENT.

36 B. WHEN DEALING WITH NONMEMBER JURISDICTIONS, THE DEPARTMENT SHALL
37 FOLLOW THE PROVISIONS OF THIS SECTION OR THE DRIVER LICENSE AGREEMENT.

38 ARTICLE XI

39 CONSTRUCTION OF THIS SECTION

40 THIS SECTION IS A REMEDIAL LAW AND SHALL BE LIBERALLY CONSTRUED TO
41 PROMOTE HIGHWAY SAFETY AND THE FAIR AND IMPARTIAL TREATMENT OF DRIVERS.

1 Sec. 3. Conditional enactment: notice

2 A. This act does not become effective unless all states join the
3 driver license agreement.

4 B. The director of the department of transportation shall notify in
5 writing the director of the Arizona legislative council of this date.